

## REMARKS

Claims 1 - 20 are pending in the instant patent application.

## CLAIM REJECTIONS

### 35 U.S.C. §112 Rejections

The present Office Action alleges Claim 6 is indefinite since Claim 6 depends from Claim 5, and since Claim 6 states comprising, the parameter that is selected is not required to be one of the "list" of statistical mean, standard deviation, a user specified target, actual percentage of data above and below the user specified target, and sigma value. Applicants respectfully assert that the plurality of statistical parameters as referenced in Claim 5 is definite. Applicants respectfully assert that indicating in Claim 6 that the plurality of statistical parameters include statistical mean, standard deviation, a user specified target, actual percentage of data above and below the user specified target, and sigma value makes the plurality of statistical parameters more definite. Given that Claim 5 is definite, Applicants respectfully assert that making the plurality of statistical parameters from Claim 5 even more definite in Claim 6 makes Claim 6 sufficiently definite.

### Response to Arguments Section

The present Office Action alleges the Applicants have attempted to traverse the official notice by reciting claim limitations that go beyond what the official notice was taken for. Applicants respectfully request the Examiner to clarify the scope of the Official Notice language regarding the allegation that using a website that utilizes electronic documents to provide client/server/browser applications *such as taught by Cognos* (emphasis added) is old and well known in the art. The present Office Action makes numerous allegations regarding the teachings of Cognos and Applicants respectfully asserts the Cognos reference does not teach the present invention and the present invention is not old and well known. As such, Applicants respectfully assert that the previous response traversing the Official Notice was appropriate and respectfully reassert the traversal. In addition, the present Office Action alleges that providing HTML documents using a client/server/browser architecture is old and well known in the art and that support for the Official Notice allegation is found in the reference entitled "The domino theory" Steve Gillmor, Jeff Angus. Information Week. Manhasset: Nov 23 1998., Iss 710; pg 48, 5 pages. To the extent the "The domino theory" reference may mention that this *beta* version is *incomplete - a work in progress*

(emphasis added), especially in the Notes client [Abstracts lines 2- 3 and Paragraph 1], Applicants respectfully assert the reference does not teach it is old *and well known*.

35 U.S.C. §103 Rejections

Claims 1 - 8, 11, 12, and 14 – 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Cognos White Paper, “Constructing the Integrated Data Warehouse with Cognos e-Applications”, Sept 2000, pp. 1-19 (herein after Cognos) in view of Cawse (US Patent 6, 725,183). Applicants respectfully reassert that the embodiments of the present invention as recited in the present Claims are neither anticipated nor rendered obvious by the references, either alone or together in combination.

Declarations under 37 CFR 1.131 by co-inventors Timothy Dubois, Jacques Sanchet, Craig Martell and Ned Maran (formerly known as Guna (Ned) Nudumaran) are attached hereto and the Declarations provide correct and sufficient evidence to establish invention of the subject matter of Claims 1 – 20 prior to the September 2000 date of the Cognos reference. A Declaration of Anthony C. Murabito is also attached hereto that supports the efforts in preparation of the provisional Patent Application. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. 103(a)

against Claims 1 - 8, 11, 12, and 14 – 20 and respectfully assert Claims 1 - 8, 11, 12, and 14 – 20 are in condition for allowance.

Applicants respectfully assert Claims 2 – 10 are allowable as depending from an allowable independent Claim 1 and Claims 12 – 14 are allowable as depending from an allowable independent Claim 11. Applicants also respectfully assert Claims 16 – 20 are allowable as depending from an allowable independent Claim 15.

Claims 9, 10 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Cognos White Paper, "Construction the Integrated Data Warehouse with Cognos e-applications", Sept 2000, pp. 1-19 (herein after Cognos) in view of Cawse (US Patent 6, 725,183) and further in view of Hsuing (US Patent 6,853,920). Applicants respectfully assert that the embodiments of the present invention as recited in the present Claims are neither anticipated nor rendered obvious by the references, either alone or together in combination.

Declarations under 37 CFR 1.131 by co-inventors Timothy Dubois, Jacques Sanchet, Craig Martell and Ned Maran (formerly known as Guna (Ned) Nudumaran) are attached hereto and the Declarations provide correct and sufficient evidence to establish invention of the subject matter of Claims 1 – 20 prior to the September 2000

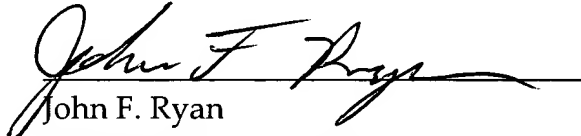
date of the Cognos reference. A Declaration of Anthony C. Murabito is also attached hereto that supports the efforts in preparation of the provisional Patent Application. Applicants respectfully request withdrawal of the rejection under 35 U.S.C. 103(a) against Claims 9, 10 and 13 and respectfully assert Claims 9, 10 and 13 are in condition for allowance.

### Conclusion

In view of the foregoing remarks, the Applicants respectfully assert that the pending claims in the instant patent application are in condition for allowance. The Applicants respectfully request reconsideration of the Application and allowance of the pending claims. If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact the Applicants' designated representative at the below listed phone number.

Respectfully submitted,  
MURABITO, HAO & BARNES LLP

Dated: July 10 2008

  
John F. Ryan  
Registration No. 47,050

Address: MURABITO, HAO & BARNES LLP  
Two North Market Street  
Third Floor  
San Jose, California 95113  
Telephone: (408) 938-9060 Voice  
(408) 938-9069 Facsimile